

**ORIGINAL**

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of )

Telephone Number Portability )  
Phase I Implementation )CC Docket No. 95-116Southwestern Bell Telephone Company )  
and Pacific Bell )  
Petition for Waiver )

NSD File No. L-98-16

**COMMENTS OF WORLDCOM, INC.**

WorldCom, Inc. ("WorldCom") hereby files its comments concerning the petition for waiver ("Petition") filed by Southwestern Bell and Pacific Bell (collectively "SBC") on February 20, 1998 in the above-referenced proceeding. WorldCom does not necessarily oppose the Petition outright, but its lack of record support, and potential anticompetitive impact, dictate that the Commission approve the Petition only under the specific terms described herein.

**I. INTRODUCTION AND BACKGROUND**

WorldCom, Inc. is a premier global telecommunications company. Through its wholly-owned subsidiaries WorldCom Technologies, Inc., MFS Telecom, Inc., Brooks Fiber Properties, Inc., WorldCom Network Services (d/b/a WilTel Network Services), and UUNET Technologies, Inc., the new WorldCom provides its business and residential customers with a full range of facilities-based and fully integrated local, long distance, and international telecommunications services, and information services. In particular, WorldCom currently is the fourth largest facilities-based interexchange carrier ("IXC") in the United States, as well as a significant facilities-based competitive local exchange carrier ("CLEC") and Internet service provider ("ISP").

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SBC seeks an extension of the March 31, 1998 Phase I implementation deadline for local number portability ("LNP") due to problems discovered late in SBC's testing of its network. Specifically, SBC requests a delay in order to fix testing defects found in connection with Signal Transfer Points ("STP") upgrades needed for LNP. SBC has entered into a contract with the vendor DSC Communications for the necessary STP hardware and software upgrades. SBC plans to use DSC's STP to perform messenger relay service, which in turn routes Signaling System 7 ("SS7") messages to the correct network for advanced services such as alternate billing services ("ABS"), line information data base ("LIDB"), CLASS features, Voice Messaging Service, and Calling Name. DSC also provides the location routing number ("LRN") database which supports the LRN or 10-digit number that identifies a switch serving at least one ported number, and which is used by the querying switch and subsequent switches to route the call to a ported number to the correct serving switch.<sup>1</sup>

According to the Petition, SBC discovered three significant issues well into the testing interval regarding the:

- (1) interoperability of the Message Relay Service with queries originating in GTE's network;
- (2) inability of the STP to process certain AIN-based services properly, and
- (3) failure of a recent DSC software release to properly perform certain LNP network management functions used to prevent network overload.<sup>2</sup>

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<sup>1</sup> SBC Petition at 2.

<sup>2</sup> SBC Petition at 2.

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As a result of these problems, SBC asks for an implementation delay of 56 days for Phase 1 (from March 31 to May 26), a 42 day delay for Phase 2 (from May 15 to June 26), and a 27 day delay for Phase 3 (from June 20 to July 27). The Petition notes that Pacific Bell is still examining the effect of the NPAC vendor failure in California and does not believe that the STP issues will determine the ultimate implementation deadlines.<sup>3</sup>

**II. WORLDCom IS CONCERNED THAT SBC'S PETITION FAILS TO DEMONSTRATE ADEQUATE SUPPORT FOR ITS PROPOSED SIGNIFICANT DELAY IN THE LNP PHASE I IMPLEMENTATION SCHEDULE**

WorldCom has serious concerns about the factual underpinnings of SBC's Petition. Despite the many arguments and lengthy affidavits affixed to the Petition, SBC fails to demonstrate in any substantial way why it needs the extensive delay in the Phase I implementation schedule. Nor has SBC explained how its proposed schedule will foster, rather than hinder, effective local competition.

First, WorldCom does not believe that Pacific Bell requires any additional implementation time. SBC's Petition was filed on February 20, after the Perot contract was terminated and the new LNP system contract signed with Lockheed Martin. As a result, all parties -- including SBC -- were aware that the new NPAC is scheduled to be live on May 11. Therefore, Pacific should not need any subsequent delay beyond the inter-company testing which

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<sup>3</sup> SBC Petition at 3.

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is now expected to conclude by June 11 for the West Coast region.

Even after reviewing all the affidavits attached to the Petition, WorldCom understands even less the lengthy delays requested on behalf of SBC. SBC's proposed timeline represents a radical departure from the current schedule, to the point of outright procrastination. SBC's Petition does not demonstrate the true sense of urgency one would expect to accompany such a request for dispensation.

Initially, WorldCom believes that a critical party is not even represented in the Petition. It would be of great use and interest to the industry if DSC Communications offered its own views on what the problems are, and the real time needed to fix those problems.

The SBC affidavits leave many questions unanswered. For example, Mr. Delbert L. Duncan, SBC's director of technology planning for LNP, shows switch upgrades and translations are nearly completed, and querying work well on its way, at the time of the filing.<sup>4</sup> Further, as Mr. Duncan notes, the general availability of the DSC fix -- Release 10.10 -- is March 27. The Petition does not elaborate why an additional 3 weeks is needed to phase-in the fix throughout the Houston MSA. If 3 weeks is really needed, there is no good reason why the fix is completed earlier in St. Louis, and later in other MSAs, rather than carrying the same start and end dates.<sup>5</sup>

It is also unclear why SBC is choosing to start its correction process later in

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<sup>4</sup> See Duncan Declaration, Exhibit A, at 4-5.

<sup>5</sup> Id. at 8.

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Houston than in other MSAs. In particular, Exhibit D shows an April 18, 1998 completion date for "Jackson and Wesleyan STP 10.10" in Houston, but an April 15, 1997 completion date for "Ladue and Kirkwood STP 10.10."<sup>6</sup> WorldCom questions the difference in the two dates; if not attributable to a mere typographical error, the fix apparently was installed almost a year ago. Further, it is unclear why the Phase 2 MSA of St. Louis is completed earlier than Phase 1 Houston, but has a live porting date a full month later than Houston, and a month later than the Phase 2 deadline.<sup>7</sup>

Additionally, SBC claims that the 30 day interval it proposes between the first 3 phases is necessary to process any "pent up demand" from new competitors, as well as to process conversions from interim number portability ("INP") to permanent LNP.<sup>8</sup> This is problematic for several reasons. First, competitors should not be made to wait any longer than necessary to serve customers, and clearly SBC is restraining competition by this 30 day delay. Second, it is the responsibility of every ILEC to process orders as efficiently as possible and, if necessary, have a distinct team to process the conversion from INP to LNP. It is not SBC's right to unilaterally subjugate competition to its own scheduling or staffing preferences.

WorldCom opposes SBC's proposed time for accepting and turning up orders for Houston. No reasons were advanced in the charts and affidavits to substantiate SBC's dubious

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<sup>6</sup> SBC Petition, Exhibit D, at 1.

<sup>7</sup> Id.

<sup>8</sup> Duncan Declaration at 8.

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plan to take orders for Houston no earlier than May 15, with a May 26 due date.

In fact, WorldCom objects to SBC's timeline in total. In Exhibit D, SBC tries to mask the ill-logic of its scheduling by listing the MSAs separately. Houston, which is in Phase 1, has the magic bullet Release 10.10 installation concluded 3 days later than Phase 2 St. Louis, but St. Louis is ready for porting a month later. Interestingly, the magic bullet installation is concluded April 24 in Dallas (also in Phase 2), 9 days later than St. Louis, but both MSAs have a June 26 live date. WorldCom cannot understand why Release 10.10 is not installed and completed at the same time for all MSAs in the 3 Phases.

These are just a few issues that arise from a review of SBC's Petition and timelines. At least on the surface, they seem to be based more on a desire to slow LNP implementation, and consequently competition, than on true technological dictates or hardware/software imperfections.

SBC's Petition must be thoroughly examined by the Commission, for it affects not only SBC and GTE. Sprint Local Telephone Companies filed a waiver seeking an LNP dispensation until May 26 as well. Sprint uses SBC for operator and directory assistance services to its Houston MSA customers, and LIDB validation is a part of that. Allowing SBC to correct its problems on a leisurely schedule will have a domino effect, thereby allowing all the ILECs to frustrate competition in the Houston MSA that much longer. Further, other carriers cannot perform their regression testing with SBC until these problems have been resolved.

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Thus, SBC's Petition cannot be approved on the terms requested. Instead, WorldCom urges the Commission to order SBC to install and finish Release 10.10 installation by 7 days after it is available in all MSAs scheduled to go live in Phases 1, 2 and 3. WorldCom also urges the Commission to direct SBC to delete the inappropriate and anti-competitive 30-day "pent-up" demand interval, and to consequently speed the acceptance and processing of orders, as well as to shorten the processing time to the industry agreed standard.

### III. CONCLUSION

For the reasons given, the Commission should approve the SBC Petition only under the specific terms described above.

Respectfully submitted,



Richard S. Whitt  
Anne F. La Lena

WorldCom, Inc.  
1120 Connecticut Avenue, N.W.  
Suite 400  
Washington, D.C. 20036  
(202) 776-1550

March 9, 1998

**CERTIFICATE OF SERVICE**

I, Richard S. Whitt, hereby certify that I have this 9th day of March, 1998, sent a copy of the foregoing "Comments of WorldCom, Inc." by hand delivery to the following:

Magalie Roman Salas (original and four copies)  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Marian Gordon  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
2000 M Street, N.W.  
Room 235  
Washington, D.C. 20554

Jeannie Grimes (2 copies)  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
2000 M Street, N.W.  
Room 235  
Washington, D.C. 20554

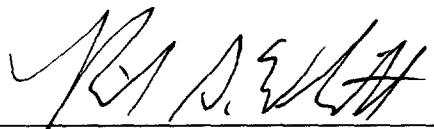
Erin Duffy  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
2000 M Street, N.W.  
Room 235  
Washington, D.C. 20554

Patrick Forster  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
2000 M Street, N.W.  
Room 235  
Washington, D.C. 20554



Andre Rausch  
Network Services Division  
Common Carrier Bureau  
Federal Communications Commission  
2000 M Street, N.W.  
Room 235  
Washington, D.C. 20554

International Transcription Service, Inc.  
1231 20th Street, N.W.  
Washington, D.C. 20036



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Richard S. Whitt